

ORDINANCE NO. 621

AN ORDINANCE OF THE TOWN OF EASTON AMENDING THE TOWN OF  
EASTON ZONING ORDINANCE

INTRODUCED BY \_\_\_\_\_

WHEREAS, the Town of Easton is authorized by Maryland Annotated Code Article 66B §4.01 *et seq.* to enact and administer a zoning ordinance, which ordinance is Chapter 28 of the Easton Town Code; and

WHEREAS, the Town of Easton is authorized by Maryland Annotated Code Article 66B §§4.04 and 4.05 to amend, supplement, modify or repeal sections of the zoning ordinance; and

WHEREAS, the Mayor and Council of the Town of Easton enacted a moratorium on Electronic Signs via Ordinance 614, effective October 8, 2012; and

WHEREAS, pursuant to Ordinance 614, the Mayor of the Town of Easton appointed a Task Force charged with, among other things, recommending regulations to govern electronic signs and the proposal outlined herein represent said recommendations (as modified by the Easton Planning Commission); and

WHEREAS, all provisions in the Zoning Ordinance regarding Electronic Signs shall be applicable to the Existing Signs (as of the Effective Date of this Ordinance), except that the Existing Signs shall be grandfathered with respect to the provisions contained in the following three recitals;

WHEREAS, the Existing Signs shall be grandfathered from complying with Section 1101.4 A (9) of the Zoning Ordinance regarding the percentage of a sign that may be devoted to a reader board (whether electronic or manual) and shall hereinafter be considered a nonconforming structure under the Zoning Ordinance as it pertains to Section 1101.4A(9); and

WHEREAS, if the Existing Signs are able to comply with Sections 1101.6 E (5) and (6) regarding brightness and an automatic dimming photocell without purchasing additional equipment, then the Existing Signs shall comply with those sections, but if compliance requires purchasing additional equipment, then the Existing Signs shall be grandfathered from complying with those standards and shall hereinafter be considered a nonconforming structure under the Zoning Ordinance as it pertains to Sections 1101.6 E (5) and (6); and

WHEREAS, the Existing Signs that utilize multiple colors shall not be required to comply with Section 1101.6 E (7) of the Zoning Ordinance requiring that electronic signs utilize a single color only; and

WHEREAS, the Easton Planning and Zoning Commission considered the matter at its March 21, 2013 meeting and has recommended that the Town Council approve the amendments outlined in this Ordinance.

NOW, THEREFORE, the Town of Easton hereby ordains that the sections of the Town of Easton Zoning Ordinance set forth below be amended or added as hereinafter provided (Language to be deleted from the existing Ordinance is indicated in ~~striketrough~~ format and language to be added is indicated by highlighted text):

1. Revise Section 1101.6 E as follows:

**E. Electronic Signs**

In addition to the requirements prescribed above for the applicable sign type (i.e. freestanding, building, and/or institutional), electronic or digital signs shall comply with the following supplementary standards for such signs:

(1) Electronic or digital signs are only permitted as electronic reader boards (note: this standard is not intended to prohibit internally illuminated signs that are otherwise in conformity with the Town's sign regulations)

(2) Electronic signs shall be prohibited in the Historic Overlay District.

- (3) Electronic signs shall not change messages more frequently than once every twelve (12) seconds.
- (4) There shall be no transition effects in the changing of messages, nor any animation, flashing, blinking or similar effects utilized in the display of messages.
- (5) Electronic signs shall be equipped with an automatic dimming photocell which adjusts the display's brightness based on ambient light conditions.
- (6) Brightness levels shall not increase by more than 0.3 foot candles (or 3.23 lumens per square meter or lux) (over ambient levels), measured within 100 feet of the sign.
- (7) Electronic Signs shall be limited to the use of a single color on any given message or display (i.e. they shall be mono color signs).
- (8) Electronic signs located on a lot adjacent to any residentially-zoned parcel shall be turned off between the hours of 10:00 p.m. and 6:00 a.m.
- (9) Video Boards shall not be permitted on any portion of an electronic sign.

(2) Add a new standard regulating the maximum percentage of a sign that may be devoted to a reader board (whether electronic or not) by creating a new subsection 1101.4 A (9):

(9) No more than ~~25%~~ 75

% of the display area of any sign may be devoted to a reader board (whether electronic or manual).

(3) Add a definition of reader board to Article I, Section 114 as follows:

**Reader Board** – A portion of a sign containing changeable copy intended to convey a message concerning products or services available on the premises on which the sign is located. Excluded from this definition are signs displaying the price of gasoline available on premise or announcements concerning or promoting community or non-profit events.

Electronic Reader Board – a reader board that is capable of displaying visual words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means.

Video Board – an electronic sign capable of creating the effect of motion or animation

(4) Add Section 1101.3 B (5) to stipulate that electronic reader boards may not be added to nonconforming signs:

(5) An electronic reader board may not be incorporated into a nonconforming sign.

In accordance with Article II Section 9 of the Easton Town Charter, this ordinance shall become effective twenty (20) calendar days after approval by the Mayor or passage of this ordinance by the Council over the Mayor's veto.

Malone	-
Leshner	-
Wendowski	-
Cook	-
Ford	-

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
John F. Ford, Town Council President

Delivered to the Mayor by me this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Kathy Ruf, Town Clerk

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APPROVED:  
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Date: \_\_\_\_\_

\_\_\_\_\_  
Robert C. Willey, Mayor

EFFECTIVE DATE: \_\_\_\_\_, 2013.